

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

CHAMBERS OF  
JEROME B. SIMANDLE  
DISTRICT JUDGE

ORIGINAL FILED WITH CLERK

UNITED STATES COURTHOUSE  
ONE JOHN F. GERRY PLAZA  
P.O. BOX 888  
CAMDEN, NJ 08101  
(856) 757-5167

July 14, 2010

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Steven K. Eisenberg, Esquire  
Kevin P. Diskin, Esquire  
STERN AND EISENBERG, LLP  
The Pavillion  
261 Old York Road, Suite 410  
Jenkintown, PA 19046

Re: Apex Mortgage Corp. v. Michael Connolly, et al.  
Civil No. 09-4624 (JBS-JS)

Dear Counsel:

I have received and reviewed Plaintiff's motion for default judgment dated June 14, 2010. I am writing to request a supplemental submission in the above referenced matter.

Before the Court can properly rule on Plaintiff's motion, I ask that Plaintiff provide detailed evidence in support of the specific dollar amounts of damages that you have claimed. This may be done by way of documents or affidavits, and should include the following:

- (1) calculations and explanations for the requested "late charges;"
- (2) calculations and explanations for the requested "other charges;"
- (3) calculations and explanations for the requested "accrued charges;"
- (4) calculations and explanations, including billing rates and hours worked, for the requested attorney's fees in the form of an affidavit complying with L. Civ. R. 54.2; and
- (5) evidence in support of the requested title search fee, such as a receipt or bill, if available.

The Court also asks that Plaintiff make the following clarifications pertaining to the Defendants:

- (6) which Defendants are to be considered in your motion for default judgment;
- (7) which non-defaulted Defendants, if any, you intend to dismiss from the case; and

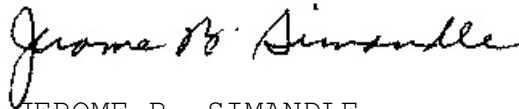
Richard F. Stern, Esq.  
July 15, 2010  
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- (8) whether the "unknown occupants or tenants", if any, located at 2563 Delsea Drive, Franklinville, New Jersey have been identified.

Please be advised that in the event the Court enters default judgment against fewer than all Defendants, the judgment will not be considered final unless you obtain Federal Rule 54(b) certification. If Plaintiff wishes to request certification, you will need to file a separate motion, as no such request was made in your motion for default judgment.

The Court shall permit Plaintiff Apex Mortgage Corp. twenty-one (21) days from the date of this letter to submit the requested materials. No additional request for damages should accompany this submission, aside from any previously identified interest or charges that may have accrued since the filing of your motion for default judgment.

Very truly yours,



JEROME B. SIMANDLE  
U.S. District Judge

JBS/nj

cc: Honorable Joel Schneider, U.S. Magistrate Judge